

as the Sessions may from time to time determine and allow. Such salary shall be paid by the Board quarterly, and shall be a first charge upon the moneys at the disposal of the Board; and in addition to the other duties required of the Commissioner, it shall be expressly his duty to collect information for the Assessors, and more particularly to make due enquiry, and report to them all persons coming into the Parish and liable to poll tax only.

10. Subject to the direction of the Board, the Commissioner shall do or cause to be done in the best manner possible, and shall superintend all work necessary for the making and repairing of highways; but neither the Commissioner nor any member of the Board, shall take or be interested in any contract for any such work.

11. In the expenditure of the moneys at the disposal of the Board, due regard shall be had to the more thinly populated districts.

12. For the purpose of breaking roads blocked up with snow during the winter, it shall and may be lawful for the Board to appoint such districts and such road-masters therefor, and upon such terms as to remuneration, as they may deem necessary; and it shall be the duty of each such road-master within his district, to summon either verbally or by written notice, and turn out so many of the inhabitants of his district, with such horses or teams, and sleds or sleighs, to break and clear the roads of his district from time to time, as the said road-master may find necessary; and the Board shall pay for all such labour on the roads in manner following:—For a man only, eighty cents per day; for a man and one horse and sled, one dollar and twenty five cents per day; and for a man, two horses and sled, one dollar and sixty cents per day.

13. Any person summoned, and not attending in person or by a substitute approved by the road-master, or attending, and refusing or neglecting to work as required, shall be liable to a fine for each neglect or refusal not exceeding three dollars.

14. It shall be the duty of the Commissioner to have any road over any river, lake, or marsh, or any other road which may require it for use in winter, duly marked with bushes, and staked out, and to pay for the labour required for the same, in the same manner as for making or repairing highways; and any person who shall wilfully cut or take down, or destroy any bushes or stakes so erected, shall be liable to a penalty not exceeding five dollars therefor.

15. In case of moneys being required by any Board in the early part of the season, before the ordinary rates and taxes are collected and paid in, the Sessions, on the application of such Board, may, if it be deemed expedient, order such advances as may be required to be made to such Board by the County Treasurer, out of any funds in his hands at the disposal of the Sessions; the same to be repaid by the County Treasurer without further order, to the funds from which the same may be taken, out of the first moneys subsequently paid into the credit of such Board; provided nevertheless, that no such advance shall be made out of funds advanced by the Government for County School purposes, nor out of funds directed to be appropriated in a certain manner by order of the Governor in Council.

16. Each Commissioner shall account to the Board from time to time as required by them, upon oath; and the Board shall annually, prior to the General Quarter Sessions in De-

cember, file in the Office of the Clerk of the Peace for the said City and County of Saint John, a detailed statement upon oath, of all moneys received and expended by them during the preceding year, shewing in such statement the names of persons to whom any moneys shall have been paid. Any balance in the hands of the County Treasurer at the close of the year, shall be by him carried to the credit of the Board for the next ensuing year, without any order to that effect.

17. Each Commissioner shall within ten days after his appointment, execute a bond to the Queen, with two sufficient sureties, to be approved by the Board, in a sum to be fixed by the Sessions, well and faithfully to discharge the duties of his office, and duly to account to the Board or Sessions for all moneys received by him; such bonds shall remain in force from year to year so long as such Commissioner shall retain office, unless otherwise ordered by the Sessions, who may require a new bond to be given every year if they deem it necessary.

18. Should any Commissioner neglect or refuse to execute a bond, or to account as required by this Act, or to obey any order of the Board made in accordance with law, the Board may remove such Commissioner from office; and in such case, or in case of a vacancy in the office of Commissioner occurring from any other cause, the Board may appoint some other fit and proper person for the remainder of the year; and vacancies in the office of Commissioner shall not be filled up by two Justices, any law or custom to the contrary notwithstanding.

19. No Commissioner in default for public moneys, or neglecting or refusing to render proper accounts, or to obey any order of the Board, shall be eligible for reappointment until he shall have paid up in full the moneys in arrear, or otherwise complied with the law, or any order of the Board duly made concerning him.

20. If application shall be made to the Commissioner in writing by three or more freeholders to lay out, alter or extend any public highway over any lands, and if the owner or owners of such lands shall not consent thereto, such Commissioner shall, with the approval of the Board, apply to a Justice of the Peace for a Warrant, who is hereby required to grant the same, directed to the Sheriff, Deputy Sheriff, or any Constable within the County, commanding him to summon five disinterested freeholders of the County, not resident in the Parish within which such road is proposed, at a certain time to be named in such warrant, to examine the proposed road, alteration or extension so applied for, the said Commissioner to be present at the same time; and if the said jury, who are to be sworn by any Justice of the Peace, find that such road, alteration or extension is necessary, the said Commissioner shall lay out the same immediately, after which the jury shall be duly sworn to assess the damages, and shall forthwith proceed to assess the same; and the said jury, in their assessment of damages, shall take into consideration the benefit (if any) to the owner of such lands by the laying out or alteration of such road.

21. If the Board shall deem it necessary to lay out any highway over any lands, and the owner or owners consent in writing that such highway may be laid out and opened, the Commissioner, upon the order of the Board in writing, may proceed to lay out and open the same; and such consent and order in writing shall be filed by the said Commissioner with the return of such highway.